

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-18 are pending in this application. Claims 1 and 10 are the independent claims. Claims 15-18 have been withdrawn.

No claims have been amended by the present Request.

Initially, Applicants acknowledge with appreciation the indication that claims 4-9 recite patentable subject matter and would be allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims. By the present Request, Applicant has respectfully maintained these claims in dependent form because it is believed that their base claim, independent claim 1, patentably defines over the cited art.

Claims 1-3 and 10-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Korean Patent Document P1991-008507 (Lee) in view of the conventional optical disc drive disclosed in the background section of Applicant's disclosure (the conventional optical disc drive).

Independent claim 1 recites, inter alia, resetting a variable step counter, which counts steps of a stepping motor of an optical pickup, to zero regardless of a position of the optical pickup, when power is applied to an optical disc drive.

Independent claim 10 recites, inter alia, resetting a variable step counter, which counts steps of a stepping motor of an optical pickup, to zero regardless of a position of the optical pickup, when power is applied to an optical disc drive.

However, neither Lee nor the conventional optical disc drive discloses at least the aforementioned features. Accordingly, without conceding the propriety of the asserted combination, it is respectfully submitted that the asserted combination is likewise deficient, even in view of the knowledge of one of ordinary skill in the art.

The Office Action concedes that the primary citation to Lee does not disclose the aforementioned features. (Office Action, pages 3 and 4). Nonetheless, the Office Action contends that the conventional disc drive discloses these features and paragraphs [0012] to [0015] are cited for support. (Id.). This contention is respectfully traversed.

The conventional disc drive is explained to perform a home-in operation to move the optical pickup to an initial position in order to set a movement start point. In particular, Applicant explains:

The type home-in operation depends on the type of the optical disc drive 100. For example, when the optical disc drive 100 includes a home limit switch, the optical pickup 120 moves up to a home position at which the home limit switch is turned on. In contrast, when the optical disc drive 100 does not include a home limit switch, the optical pickup 120 is moved into contact with an outer wall of the spindle motor 110 where a value of the step counter is reset to zero in order to return to a home position, so that an absolute value of the step counter corresponding to a physical position of the optical pickup 120 corresponds to the stepping motor 140.

(Applicant's Specification, paragraph [0006]). Thus, the conventional disc drive moves the optical pickup to an initial position before resetting the step counter. Indeed, even paragraph [0012] of Applicant's Specification, in context, supports this conclusion. That paragraph explains that a second of the initial operations of the optical disc drive to which power is applied is to:

2. Attempt a forced home-in [defined in paragraph [0011] as a method of forcibly clashing an optical pickup against an outer wall of a spindle motor to reset a step counter during application of power, and then moving the optical pickup to a home position] in a micro step mode or a half step mode in order to allow a step counter value to correspond to the position of the optical pickup. Move the optical pickup to an inner circle by about 3000 micro steps (40mm), which generates home-in noise. Reset the step counter value to zero.

(Applicant's Specification, paragraph [0012]). Thus, Applicant expressly teaches that the optical pickup is clashed against an outer wall of a spindle motor, moved in about 40 mm, and then the step counter value is reset to zero. Thus, even the portion of Applicant's Specification cited by the Office expressly teaches that the optical pickup is moved to a specified position before the step counter is reset to zero. Accordingly, the secondary citation to the conventional disc drive cannot remedy the acknowledged deficiency in the primary citation to Lee.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1 and 10 under 35 U.S.C. § 103 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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